

INFORMATION REPORT ON

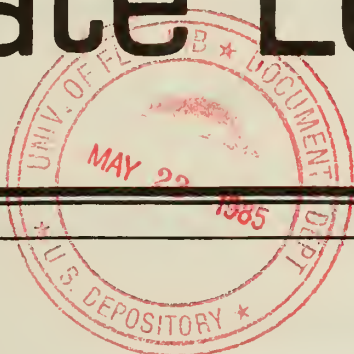
State Legislation



OFFICE OF STATE PROGRAMS
✓ U. S. NUCLEAR REGULATORY COMMISSION

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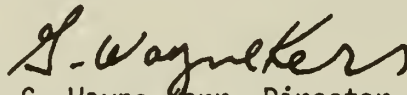
SPECIAL ELECTION EDITION

In addition to our regular report on the status of legislative bills, this edition provides charts which contain information on Gubernatorial Elections, Primary Elections and State Legislative Elections. Governors will be elected in 36 States in 1982. State senators and/or representatives will be elected in 46 States. Although the charts are correct as of this date (July 1, 1982) they could change at anytime. Since election activity starts early, these charts will prove useful in referencing impending information.

A list of Governor designees who are to be notified of nuclear waste and spent fuel shipments, as required in 10 CFR Parts 71 and 73, was published in the Federal Register on June 8, 1982. The list will be published annually on or about June 30 to reflect any changes and copies are available upon request from the Office of State Programs.

Representatives of the seven compact groups and unaffiliated States met with NRC and DOE to explore future information needs and ways that NRC can meet those needs. The June 16 meeting was organized by the Office of State Programs in conjunction with the joint NRC/Oak Ridge National Laboratory Symposium, "Low-Level Waste Disposal: Site Characterization and Monitoring," relating to proposed rule 10 CFR Part 61, which was held June 16-17 in Arlington, Virginia. Some of the major needs expressed by the States are:

1. Accelerated final rulemaking of 10 CFR 61 and associated NRC Regulatory Guides.
2. Guidance for alternatives to shallow land burial sites, such as mined cavities.
3. More detailed classification of waste and volume determination for use by compact commissions.
4. Information on economic considerations, e.g., fee structure, liability, socio-economic impact mitigation and incentives for host communities.
5. Technical assistance and information transfer.

A handwritten signature in dark ink, appearing to read "G. Wayne Kerr", is written over the typed name.

G. Wayne Kerr, Director
Office of State Programs

Prepared by Mindy Landau, OSP
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Low-Level Waste Compacts

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Uranium Mining & Milling

New York, A-12735

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New Jersey, AR-33
Pennsylvania, H-2442



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ENACTED LEGISLATION

ALABAMA

Southeast Interstate Low-Level Radioactive Waste Compact H-300. Enacts the Compact into law and enters the State into it as a party to provide for the regional management of low-level waste disposal facilities. (Enacted 4/26/82.)

ARIZONA

Emergency Management H-2357. Makes appropriations to the Nuclear Emergency Management Fund, and makes a nuclear emergency management assessment (\$547,000) against consortia of public service and municipal corporations engaged in constructing the Palo Verde nuclear power plant. (Enacted 4/13/82.)

COLORADO

Rocky Mountain Low-Level Radioactive Waste Compact H-1246. Enacts the Compact into law and enters the State as a party to provide for the regional management and disposal of low-level waste. (Note: Colorado is the only State with enacted legislation in this Compact group. New Mexico has introduced legislation entering itself into the Compact). (Enacted 5/3/82.)

HAWAII

Northwest Interstate Low-Level Radioactive Waste Compact H-2165. Enacts and enters the State into the Compact for the purpose of providing a cooperative effort among States for the disposal of low-level radioactive waste. (Enacted 6/14/82.)

MAINE

Nuclear Decommissioning Financing Act LD-2124. Licensees operating nuclear power plants will be responsible for collecting funds during the life of the plant to pay for decommissioning costs. The funds will be placed in a separate trust fund and invested by a trustee until they are needed. (Enacted 4/15/82.)

MISSISSIPPI

Southeast Interstate Low-Level Radioactive Waste Compact H-1281.
Similar to Alabama, H-300. (Enacted 4/20/82.)

High-Level Waste Disposal S-2751. Creates a Nuclear Waste Policy Advisory Council and a Nuclear Waste Technical Review Committee within the Energy and Transportation Board. The Board will be the agency responsible for any matter related to the long-term or temporary storage of high-level radioactive or transuranic waste. Establishes permit procedures and reviews for State approval of siting or storage of high-level waste. (Enacted 4/21/82.)

OHIO

Public Utilities Commission of Ohio S-378. Requires public input into long-term energy need forecasts which gas and electric utilities must submit to the Department of Energy. Prohibits public utilities from having on file more than one rate increase request (called "pancaking") unless 275 days have elapsed since the first request was made and no action has been taken on it. (Enacted 6/1/82; Effective 1/11/83, certain sections effective 6/1/82.)

SOUTH CAROLINA

Southeast Interstate Low-Level Radioactive Waste Compact H-3590. This version of the Compact differs from the other States' versions in that, among other things, more emphasis is placed on disposal rather than management of the site, and powers of the Compact Commission are more limited. (Enacted 6/9/82.)

TENNESSEE

Radiation Law S-1609. Amends various provisions relating to the enforcement of, and penalties for, violating Tennessee's safety law on radiation. (Enacted 4/8/82.)

Southeast Interstate Low-Level Radioactive Waste Compact S-2193.
Similar to Alabama, H-300. (Enacted 4/23/82.)

VERMONT

Energy Conservation H-220. Authorizes the Public Service Department to propose and develop energy conservation programs and measures. After notices and hearings, these programs may be approved and ordered into effect if it is determined they are beneficial to the ratepayers of the companies. (Enacted 5/4/82.)

VERMONT Cont'd

Transportation H-374. Allows the Secretary of the transportation agency to designate any highway as part of a preferred route for the transportation of fissile radioactive materials and large quantity packages of radioactive materials in order to cause the least risk to persons and property. The Secretary will confer with municipalities to give their opinion due consideration. Describes penalties for violations. (Enacted 2/2/82.)

Commission on Energy Planning H-708. Establishes the State Commission on Energy Planning which is charged with overseeing and directing the State's ongoing energy study, which may provide the framework for energy-related decisions made throughout the State. (Enacted 5/14/82.)

VIRGINIA

Mid-Atlantic Interstate Low-Level Radioactive Waste Compact S-371. Enacts the Compact into law and enters the State as a party, for the purposes of handling the disposal of radioactive waste on a regional basis. (Enacted 4/11/82.)

Southeast Interstate Low-Level Radioactive Waste Compact H-709. Similar to Alabama, H-300. (Enacted 4/11/82.)

INTRODUCED LEGISLATION

CALIFORNIA

Emergency Planning S-1473. Deletes the requirement that State and local plans dealing with nuclear power plant accidents be submitted to the Legislature and approved by statute before implemented. Also changes the maximum assessment upon utilities operating nuclear plants in the State to \$300,000 annually for State costs to be divided equally among the utilities and to \$100,000 annually per unit for local costs. (Introduced 2/12/82; re-referred to committee with amendments 5/26/82.)

CONNECTICUT

Millstone III S-314. Requires the Department of Public Utility Control to undertake a general investigation of the cost-effectiveness of the Millstone III nuclear power plant. The Department will commission an independent consultant to consider:

- (1) the final capital cost of the facility
- (2) the reasons for increases in the facility's costs over initial estimates, and
- (3) the cost and potential of environmentally safe and economically sound alternatives to completion of the facility. (Introduced 2/23/82, died as of adjournment 5/5/82.)

HAWAII

Gamma-Radiation HR-338, HCR-148. Requests that research be done into the use of gamma-radiation as an effective alternative to ethylene dibromide (EDB) for quarantine treatment of the State's agricultural produce. EDB is considered carcinogenic and will be banned by the Environmental Protection Agency on July 1, 1983. (Introduced 4/8/82, died as of adjournment 4/28/82.)

Food Irradiation Conference HR-339, HCR-149. Calls for an international conference with the International Atomic Energy Agency in Vienna, to be held in Honolulu in 1983, on food irradiation technology. The need for a conference has been exacerbated by Hawaii's urgent need to find an effective alternative to EDB for quarantine control of possible infestation. (Introduced 4/8/82, died as of adjournment 4/28/82.)

ILLINOIS

Low-Level Waste Disposal S-1260. Prohibits the Department of Nuclear Safety from approving or licensing the site of a low-level waste repository unless expressly authorized by State law. Prevents the Director from acquiring buildings or lands where radioactive by-products and wastes can be concentrated or disposed of until the General Assembly has approved the site. Requires public hearings in communities adjacent to or affected by proposed repositories. (Amendment) (Introduced 10/15/81; passed Senate 4/28/82.)

Emergency Preparedness H-2496. Increases fees paid by nuclear power stations for emergency preparedness. Sets fees for shipments of spent fuel at \$2,500 per metric ton of heavy metal rather than at \$1,000 per shipment. (Introduced 4/1/82; passed House 5/18/82.)

Energy Forecasts H-2623. Requires certain utilities to furnish the Illinois Commerce Commission with 10 year forecasts of energy demand, projected facilities to be built, and the discontinuance of existing facilities. Copies of the forecasts will be sent to the Governor, and the EPA. (Introduced 2/21/82.)

Public Utilities H-2624. Requires public utilities to obtain a certificate of environmental compatibility before beginning construction of a major utility facility. Establishes a power siting division within the Illinois Commerce Commission. (Introduced 4/21/82.)

LOUISIANA

Transportation of Waste S-251. Authorizes local governing authorities to prohibit the transportation of nuclear waste within the boundaries of the local governmental subdivision. (Introduced 4/19/82.)

Insurance S-254. Requires insurance companies which issue fire or fire and extended coverage insurance on residential homes, to offer optional coverage for loss or damage resulting from radioactive contamination from a nuclear power plant. (Introduced 4/19/82.)

Environmental Affairs H-863. Creates the Department of Environmental Affairs which has jurisdiction over areas such as solid waste management and the regulation and control of radiation. Describes membership of the Commission. (Introduced 4/30/82.)

Inspections H-982. Allows the Office of Environmental Affairs to conduct inspections and investigations of facilities which use or control radioactive materials and waste. Describes violations for individuals impeding inspections. (Introduced 5/3/82.)

Central Interstate Low-Level Radioactive Waste Compact H-1071. Would enact the Compact into law and enter the State as a party. Provides for a regional solution to the problem of disposing of low-level radioactive waste. (Introduced 5/3/82.)

Salt Dome Disposal H-1330. Prohibits tests to determine the suitability of geologic structures for disposal of radioactive waste without written approval. This excludes tests made by DOE pursuant to the February 27, 1978 agreement with the State. The agreement allows testing in the Vacherie and Rayburn salt domes, provided that no repository will be constructed if the State objects. (Introduced 5/3/82.)

Waste Disposal A-1337. Prohibits individuals from storing or disposing of any source of radiation and provides certain criteria for assessing penalties. (Introduced 5/3/82.)

Radiation Regulations H-1451. Provides for a prohibition against violating the laws and regulations pertaining to storage, transportation or disposal of sources of radiation. (Introduced 5/3/82.)

MASSACHUSETTS

Public Utilities H-5928. Prevents the Department of Public Utilities from approving any schedule filed by an electric company if the schedule includes charges incurred during construction of a nuclear power plant cancelled after September 1, 1981. (Introduced 3/25/82; motion to reconsider, reconsideration negated 5/4/82.)

MASSACHUSETTS Cont'd

Transportation H-6065. Increases the scope and responsibility of the special commission established to investigate and study hazardous and solid wastes. Certain legislative bills regarding transportation of nuclear materials and safety standards will be studied by the Commission. (Introduced 4/26/82, referred to House Ways & Means Committee 5/18/82.)

NEW YORK

Suspension of Certificates S-9656. Suspends the power of the New York State Board on Electric Generation Siting and the Environment to issue certificates for nuclear power plants in certain cases. Suspension of the board's powers would remain in effect until a national system of nuclear fuel reprocessing and waste disposal is operable and available. (Introduced 5/4/82.)

Construction Referendum S-9661. Requires approval by referendum before certificates for construction of steam electric facilities may be issued. (Introduced 5/4/82.)

Emergency Preparedness Fees A-11901. Describes annual fees to be paid by nuclear facilities in support of emergency preparedness plans, including transportation related accidents and emergency response planning at federally owned licensed facilities. Allows the State to obtain, directly from the licensee, any reactor data provided by the licensee to the NRC. (Amendment) (Introduced 3/30/82.)

Uranium Mining A-12735. Prohibits all exploration for and mining of uranium or other radioactive materials within the State for a period of seven years. Creates a joint legislative commission on the exploration for and mining of radioactive materials to report on the dangers posed to the public by exploration and mining of such materials. (Introduced 5/13/82.)

OHIO

Facility Siting H-977. Requires full hearings and procedures on applications for certificates for major utility facilities submitted to the Power Siting Board. (Introduced 4/22/82; referred to Public Utilities Committee.)

PENNSYLVANIA

Public Utilities Commission H-2432. Provides for the election of public utility commissioners; describes qualifications for membership, restrictions and administrative procedures. (Introduced 4/21/82.)

PENNSYLVANIA Cont'd

Decontamination Insurance H-2442. Prohibits a nuclear power plant from operating unless the owner carries insurance to cover its decontamination in the event of an accident. The insurance coverage will equal \$1,500,000,000. (Introduced 4/27/82.)

Power Plant Construction H-2453. Prohibits any nuclear power plant from being constructed unless it has been approved by referendum at the next general election. (Introduced 4/28/82.)

SOUTH CAROLINA

Spent Fuel Storage S-1004. Prohibits the storage or reprocessing of any spent nuclear fuel or nuclear waste generated in a foreign country. (Introduced 4/28/82.)

Nuclear Waste Prohibition H-3230. Prohibits the commercial processing, reprocessing and storage of spent nuclear fuel and radioactive waste generated by foreign countries; provides penalties for violations. (Introduced 1/12/82; on second reading 5/6/82.)

Radiation H-3908. Permits the Department of Health and Environmental Control to establish a system for the collection of fees for licensing and registering ionizing radiation users. Provides penalties for failure to pay fees. (Introduced 5/5/82; Senate committee report: favorable with amendments 5/20/82.)

INTRODUCED RESOLUTIONS

CALIFORNIA

High-Level Waste Disposal AJR-113. Requests that the President and Congress expedite the adoption and implementation of a plan to provide approved means for the disposal of commercial high-level waste. (Introduced 5/17/82.)

LOUISIANA

Oversight Committee SCR-51. Creates the Special Joint Natural Resources Nuclear Studies Committee for the continuing oversight of nuclear affairs in the State. The Committee will monitor the progress and problems of the nuclear power plants under construction in the State in terms of energy production, economy, safety of operation and final decommissioning. The Committee will also receive and evaluate data from the federal government dealing with nuclear power plant licensing and nuclear waste storage. (Introduced 5/3/82.)

LOUISIANA Cont'd

Price-Anderson Act SCR-54. Requests that Congress provide greater protection to people living near nuclear power plants, including increasing the liability limits under the Price-Anderson Act and examining other methods of compensating people and businesses located near power plants for their losses in property value. (Introduced 5/3/82.)

NEW JERSEY

Nuclear Property Insurance Act AR-33. Urges Congress to enact S-1606, which would establish a supplemental insurance fund to pay the costs of necessary remedial action following damage to nuclear power plants. This includes costs associated with TMI, and participation in this fund would be mandatory for all NRC licensees as a condition for their continued operation. (Introduced 5/6/82; Passed Assembly by voice vote 5/20/82.)

1982 GUBERNATORIAL ELECTIONS ¹

State	Incumbent	Party	Number of Terms
Alabama	Forrest H. James, Jr.	D	1
Alaska	Jay S. Hammond*	R	2
Arizona	Bruce Babbitt	D	1
Arkansas	Frank D. White	R	1
California	Edmund G. Brown, Jr.+	D	2
Colorado	Richard D. Lamm	D	2
Connecticut	William A. O'Neill	D	1
Florida	Robert Graham	D	1
Georgia	George D. Busbee*	D	2
Hawaii	George R. Ariyoshi***	D	2
Idaho	John V. Evans++	D	2
Illinois	James R. Thompson	R	2
Iowa	Robert Ray+++	R	5
Kansas	John W. Carlin	D	1
Maine	Joseph E. Brennan	D	1
Maryland	Harry R. Hughes	D	1
Massachusetts	Edward J. King	D	1
Michigan	William G. Milliken+++	R	3
Minnesota	Albert H. Quie+++	R	1
Nebraska	Charles Thone	R	1
Nevada	Robert F. List	R	1
New Hampshire	Hugh Gallen	D	2
New Mexico	Bruce King*	D	2****
New York	Hugh L. Carey+++	D	2
Ohio	James A. Rhodes*	R	4
Oklahoma	George Nigh	D	1
Oregon	Victor L. Atiyeh	R	1
Pennsylvania	Richard L. Thornburgh	R	1
Rhode Island	J. Joseph Garrahy	D	3
South Carolina	Richard Riley	D	1
South Dakota	William J. Janklow	R	1
Tennessee	Lamar Alexander	R	1
Texas	William Clements	R	1
Vermont	Richard A. Snelling	R	3
Wisconsin	Lee S. Dreyfus+++	R	1
Wyoming	Ed Herschler	D	2

* Legally barred from seeking another term.

*** Assumed office as Acting Governor in 1974. Under a recently enacted law, Governor Ariyoshi will be the last Hawaii Governor eligible to seek a third term.

**** Has served two non-consecutive terms.

+ Seeking U. S. Senate.

++ Assumed office in 1977 when Cecil D. Andrus became Secretary of Interior.

+++ Will not seek re-election.

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1982 Primary Election Schedule

State or Territory	Primary Dates*
Alabama	September 7
Alabama Runoff	September 28
Alaska	August 24
Arizona	September 7
American Samoa**	November 2
American Samoa Runoff	November 16
Arkansas	May 25
Arkansas Runoff	June 8
California	June 8
Colorado	September 14
Connecticut++	September 7
Delaware	September 11
District of Columbia**	September 14
Florida	September 7
Florida Runoff	October 5
Georgia	August 10
Georgia Runoff	August 31
Guam**	September 4
Hawaii	September 18
Idaho	May 25
Illinois	March 16
Indiana	May 4
Iowa	June 8
Kansas	August 3
Kentucky	May 25
Louisiana	September 11
Maine	June 8
Maryland	September 14
Massachusetts	September 14
Michigan	August 3
Minnesota	September 14
Mississippi	June 1
Mississippi Runoff	June 22
Missouri	August 3
Montana	June 8
Nebraska	May 11
Nevada	September 14
New Hampshire	September 14
New Jersey	June 8
New Mexico+++	June 1
New York	September 14
North Carolina++++	
North Dakota	June 8
Ohio	June 8
Oklahoma	August 24
Oklahoma Runoff	September 21
Oregon	May 18

State or Territory	Primary Dates*
Pennsylvania	May 18
Puerto Rico***	
Rhode Island	September 14
South Carolina	June 8
South Carolina Runoff	June 22
South Dakota	June 1
Tennessee	August 5
Texas+++++	May 1
Texas Runoff	June 5
Utah	September 14
Vermont	September 14
Virgin Islands**	September 14
Virginia	June 8
Washington	September 14
West Virginia	June 1
Wisconsin	September 14
Wyoming	September 14

* Dates are subject to change because of redistricting process.

** The District of Columbia and the U.S. Territories of American Samoa, Guam and the Virgin Islands will each hold an election for Delegate to the U.S. House of Representatives.

*** No election for Resident Commissioner to the U.S. House of Representatives in 1982.

++ Filing deadlines for the Connecticut primary are two weeks following the close of a convention at which a candidate received at least 20 percent of the votes. July 26 is the last day a district convention can be held in 1982.

+++ June 1 primary for statewide offices only. No date set yet for legislative primary.

++++ Has not decided on any election dates because of redistricting process.

+++++ February 1 is filing deadline for Governor, Senator and 11 Congressional districts; March 12 is deadline for other 16 Congressional districts.

1982 STATE LEGISLATIVE ELECTIONS

State	Number of Seats up for Election		Present Party Control	
	Senate	House	Senate	House
Alabama	A11 35	A11 105	D/35 R/0	D/101 R/4
Alaska	A11 18*	A11 40	D/10 R/10	D/22 R/16 Others - 2
Arizona	A11 30	A11 60	D/14 R/16	D/17 R/43
Arkansas	A11 35	A11 100	D/34 R/1	D/93 R/7
California	20 of 40	A11 80	D/23 R/17	D/48 R/32
Colorado	17 of 35	A11 65	D/13 R/21 1 Vacancy	D/26 R/39
Connecticut	A11 36	A11 151	D/23 R/13	D/82 R/69
Delaware	A11 21	A11 41	D/12 R/9	D/16 R/25
Florida	20 of 40	A11 120	D/28 R/12	D/80 R/40
Georgia	A11 56	A11 180	D/51 R/5	D/155 R/24 1 Vacancy
Hawaii	12 of 25	A11 51	D/17 R/8	D/39 R/12
Idaho	A11 35	A11 70	D/12 R/23	D/14 R/56
Illinois	A11 59	A11 118**	D/30 R/29	D/84 R/91 Others - 1 1 Vacancy
Indiana	25 of 50	A11 100	D/15 R/35	D/37 R/63
Iowa	34 of 50	A11 100	D/21 R/29	D/44 R/55 1 Vacancy
Kansas	None	A11 125	D/16 R/24	D/53 R/72
Kentucky	None	None	D/29 R/9	D/76 R/24
Louisiana	None	None	D/39 R/0	D/97 R/8
Maine	A11 33	A11 151	D/16 R/17	D/84 R/67
Maryland	A11 47	A11 141	D/40 R/7	D/125 R/16
Massachusetts	A11 40	A11 160	D/32 R/8	D/126 R/31 Others - 3
Michigan	A11 38	A11 110	D/24 R/14	D/60 R/46 4 Vacancies
Minnesota	A11 67	A11 134	D/44 R/23	D/70 R/64
Mississippi	None	None	D/48 R/4	D/117 R/4 Others - 1
Missouri	17 of 34	A11 163	D/23 R/11	D/111 R/52
Montana	25 of 50	A11 100	D/22 R/28	D/44 R/56
Nebraska***	24 of 49
Nevada+	11 of 21	A11 42	D/15 R/4 1 Vacancy	D/26 R/14
New Hampshire	A11 24	A11 400	D/10 R/14	D/124 R/185 D/R - 33 R/D - 53 5 Vacancies
New Jersey	None	None	D/22 R/18	D/43 R/37
New Mexico++	Options: 7 of 42 None A11 42	A11 70	D/22 R/20	D/41 R/29

State	Senate	House	Senate	House
New York	All 60	All 150	D/25 R/35	D/85 R/63 Others - 1 1 Vacancy
North Carolina	All 50	All 120	D/40 R/10	D/96 R/24
North Dakota	25 of 50	All 100	D/11 R/39	D/26 R/73 1 Vacancy
Ohio	17 of 33	All 99	D/15 R/18	D/56 R/43
Oklahoma	24 of 48	All 101	D/38 R/10	D/73 R/28
Oregon	15 of 30	All 60	D/23 R/7	D/33 R/27
Pennsylvania	25 of 50	All 203	D/24 R/26	D/98 R/102 3 Vacancies
Rhode Island	All 50	All 100	D/43 R/7	D/81 R/18 1 Vacancy
South Carolina	None	All 124	D/40 R/5 1 Vacancy	D/107 R/17
South Dakota	All 35	All 70	D/10 R/25	D/21 R/48 Others - 1
Tennessee	17 of 33	All 99	D/21 R/11 Others - 1	D/58 R/40 Others - 1
Texas	All 31	All 150	D/24 R/7	D/115 R/35
Utah	15 of 29	All 75	D/7 R/22	D/17 R/58
Vermont	All 30	All 150	D/14 R/16	D/63 R/86 Others - 1
Virginia	None	All 100	D/31 R/9	D/66 R/33 Others - 1
Washington	24 of 49	All 98	D/24 R/25	D/44 R/54
West Virginia	17 of 34	All 100	D/27 R/7	D/78 R/22
Wisconsin	17 of 33	All 99	D/19 R/14	D/58 R/40 1 Vacancy
Wyoming	14 of 30	All 63 or 64+++	D/11 R/19	D/23 R/39

* Alaska Senate has been reduced from 20 to 18 members.

** Illinois House has been reduced from 177 to 118 members.

*** Nebraska has a unicameral legislature whose members are nonpartisan.

+ Nevada Senate has been increased from 20 to 21 members; the House from 40 to 42.

++ New Mexico Senate depends on the outcome of reapportionment litigation.

+++ Wyoming House presently has 62 members. Depending on the outcome of a challenge to the reapportionment plan, it will increase to 63 or 64.

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